

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RASHEED SMITH,

HONORABLE JEROME B. SIMANDLE

Petitioner,

v.

Civil Action No. 07-3478 (JBS)

UNITED STATES OF AMERICA,

ORDER

Respondent.

This matter having come before the Court upon Petitioner Rasheed Smith's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2255 [Docket Item No. 304]; and this Court having considered the submissions of the parties; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS, this 25th day of July, 2007 hereby

ORDERED that Petitioner Smith's petition for a writ of habeas corpus [Docket Item No. 304] shall be and hereby is **DENIED**; and

IT IS FURTHER ORDERED that Petitioner's motion for appointment of counsel [Docket Item No. 299] shall be and hereby is, **DENIED**; and

IT IS FURTHER ORDERED that Petitioner's motion for an evidentiary hearing [Docket Item No. 303] shall be and hereby is **DENIED**.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
U.S. District Judge